

BILL NO. S-77-06-32

SPECIAL ORDINANCE NO. S-129-77

AN ORDINANCE approving a contract between Zollner Corporation and the City of Fort Wayne, by and through its Department of Public Safety, for fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. The contract, dated June 1, 1977, between the City of Fort Wayne, by and through its Mayor and Board of Commissioners, Department of Public Safety, and Zollner Corporation for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to-wit:

All buildings and improvements of Zollner, presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard South, a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less.

The said buildings and improvements which are collectively referred to as "the premises" hereafter in this contract are reflected for tax purposes as \$440,470, as issued by the Treasurer of Allen County, Indiana.

SECTION 2. The cost to Zollner Corporation shall be the sum of \$4,972.46, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 48-6176.

SECTION 3. Said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

APPROVED AS TO FORM
AND LEGALITY.

[Signature]
CITY ATTORNEY

[Signature]
Councilman

Read the first time in full and on motion by Hinga, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 6-28-77

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	_____	<u>1</u>	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	<u>✓</u>	_____
<u>MOSES</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 7-12-77

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) ~~(GENERAL)~~ ~~(ANNEXATION)~~ (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 8-129-77 on the 12th day of July, 1977

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1977, at the hour of 1:00 o'clock P M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock _____ M., E.S.T.

Rahul Elumchong
MAYOR

Bill No. S-77-06-32

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving a contract between Zollner Corporation and the City of Fort Wayne
by and through its Department of Public Safety, for fire protection

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

WILLIAM T. HINGA - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

PAUL M. BURNS

FREDRICK HUNTER

William T. Hinga

James S. Stier
Vivian G. Schmidt
Paul M. Burns
Fredrick Hunter

7-12-77 CONCURRED IN
DATE 7-12-77 CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 1st day of June, 1977 between the CITY OF FORT WAYNE, INDIANA, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and ZOLLNER CORPORATION, an Indiana corporation having its principal place of business in Adams Township, Allen County, Indiana ("ZOLLNER").

WHEREAS, ZOLLNER is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of Zollner, presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard South, a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less.

The said buildings and improvements which are collectively referred to as "the premises" hereafter in this contract are reflected for tax purposes as \$440,470, as issued by the Treasurer of Allen County, Indiana;

and, WHEREAS, ZOLLNER desires to be assured that fire protection by CITY is available at the premises above described:

NOW, THEREFORE, the parties agree as follows:

1. For one continuous calendar year from the date of this Agreement, upon the receipt by CITY'S Fire Department of a notification or signal that there is a fire on the premises above described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably send to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, ZOLLNER shall pay to the CITY the sum of One and One Thousand Two Hundred Eighty Nine Dollars (\$1,1289) per One Hundred Dollars (\$100.00)

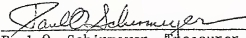
of assessed valuation for tax purposes on the improvements hereinafter identified as the premises. The improvements hereinabove identified have an assessed valuation as indicated of \$440,470. The sum owing under this contract is therefore \$4,972.46. Said sum shall be payable as follows:


1. \$2,486.23 shall be payable upon execution of this contract.
2. The balance due shall be \$2,486.23 payable on or before November 1, 1977.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect ZOLLNER'S Building, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and ZOLLNER'S operations on the premises, so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

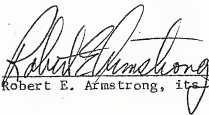
4. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and the members of the Board of Commissioners, Department of Public Safety of CITY.

ZOLLNER CORPORATION

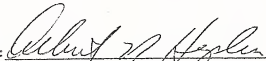
BY: 
 Paul O. Schirmeyer, Treasurer

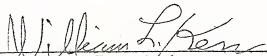
ATTEST: 
 John C. Lewton
 Executive Secretary

CITY OF FORT WAYNE, INDIANA

BY: 
 Robert E. Armstrong, its Mayor

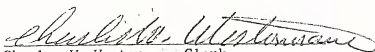
BOARD OF COMMISSIONERS,
DEPARTMENT OF PUBLIC SAFETY

BY: 
 Albert N. Hepler, Chairman

BY: 
 William L. Kerr, Member

BY: 
 Solon Jennings, Member

I hereby certify that the foregoing contract was ratified and
 approved by the Common Council of the City of Fort Wayne, Indiana,
 on July 12 1977.


 Charles W. Westerman, Clerk



ZOLLNER CORPORATION

COLISEUM BOULEVARD SOUTH
FORT WAYNE, INDIANA 46803

JUNE 1, 1977

MR. JOHN C. LEWTON
THE CITY OF FORT WAYNE
DEPARTMENT OF PUBLIC SAFETY
FORT WAYNE, INDIANA


DEAR MR. LEWTON:

ENCLOSED HERewith ARE TWO SIGNED COPIES OF THE 1977 FIRE CONTRACT
WITH THE CITY OF FORT WAYNE.

UPON APPROVAL OF CITY COUNCIL AND THE MAYOR, WE WILL MAKE THE FIRST
PAYMENT.

VERY TRULY YOURS,

ZOLLNER CORPORATION


PAUL O. SCHIRMEYER, TREASURER

POS:BW
ENC.

Admn. Appr. _____

DIGEST SHEET

S-74-16-32.

TITLE OF ORDINANCE Outside the City Fire Contract

DEPARTMENT REQUESTING ORDINANCE Office of Emergency Services

SYNOPSIS OF ORDINANCE This would allow the City of Fort Wayne to provide fire protection for the Zollner Corporation. They, in turn, will pay the City \$4,972.46, which is used to purchase fire equipment.

EFFECT OF PASSAGE The Fort Wayne Fire Department will receive \$4,972.46.

EFFECT OF NON-PASSAGE The Ft. Wayne Fire Department will lose \$4,972.46.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) _____

DATE SUBMITTED: 6/16/77

Review